

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SALES BENCHMARK INDEX LLC	:	CIVIL ACTION
	:	
v.	:	
	:	
JOSEPH DEROSA and I2C, INC.	:	NO. 18-2680

ORDER

NOW, this 16th day of August, 2018, upon consideration of Defendant, Joseph DeRosa's Partial Motion to Dismiss Plaintiff's Complaint Pursuant to Federal Rule of Civil Procedure 12(B)(6) (Document No. 10) and the plaintiff's response, it is **ORDERED** that the motion is **GRANTED**.

IT IS FURTHER ORDERED as follows:

1. The claim in Count I for breach of the non-competition provision of the Employment Agreement is **DISMISSED**; and
2. Counts V and VIII are **DISMISSED**.

/s/TIMOTHY J. SAVAGE